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FORM PTO-1390 (REV. 11-2000)

U S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY 'S DOCKET NUMBER

12964.23

US APPLICATION NO (If known, see 37 CFR 15

09/806080

INTERNATIONAL APPLICATION	NO.
PCT/EP99/07055	

INTERNATIONAL FILING DATE 22 September 1999

PRIORITY DATE CLAIMED 22 September 1998

PC1/EP99/07055	22 September 1999	ZZ Ochicii bei 1550										
TITLE OF INVENTION GENES OF T	HE 1-DEOXY D-XYLULOSE BIOSYNTHE	ESIS PATHWAY										
APPLICANT(S) FOR DO/EO/US JON	//AA, Hassan											
Applicant herewith submits to the United S	tates Designated/Elected Office (DO/EO/US)	the following items and other information:										
1. X This is a FIRST submission of item	ns concerning a filing under 35 U.S.C. 371.											
2. This is a SECOND or SUBSEQUE	ENT submission of items concerning a filing u	nder 35 U.S.C. 371.										
3. X This is an express request to begin items (5), (6), (9) and (21) indicate	national examination procedures (35 U.S.C. 37 d below	71(f)). The submission must include										
-	The US has been elected by the expiration of 19 months from the priority date (Article 31).											
	The state of the s											
	by the International Bureau.	iai Burcau).										
·	dication was filed in the United States Receiving	ng Office (RO/US).										
	the International Application as filed (35 U.S.											
a. X is attached hereto.												
b. has been previously subn	nitted under 35 U.S.C. 154(d)(4).											
	ternational Aplication under PCT Article 19 (
a. are attached hereto (requi	red only if not communicated by the Internation	onal Bureau).										
b. have been communicated	by the International Bureau.											
c. have not been made; how	ever, the time limit for making such amendme	nts has NOT expired.										
d. A have not been made and we	will not be made.											
8. An English language translation of	the amendments to the claims under PCT Artic	cle 19 (35 U.S.C. 371 (c)(3)).										
9. X An oath or declaration of the invent	tor(s) (35 U.S.C. 371(c)(4)). unsigned											
10. X An English lanugage translation of Article 36 (35 U.S.C. 371(c)(5)).	the annexes of the International Preliminary E	xamination Report under PCT										
Items 11 to 20 below concern docume	nt(s) or information included:											
11. An Information Disclosure States	ment under 37 CFR 1.97 and 1.98.											
12. X An assignment document for reco	ording. A separate cover sheet in compliance	with 37 CFR 3.28 and 3.31 is included.										
13. X A FIRST preliminary amendmen	t.											
14. A SECOND or SUBSEQUENT	preliminary amendment.											
15. A substitute specification.												
16. A change of power of attorney ar	nd/or address letter.											
17. X A computer-readable form of the	sequence listing in accordance with PCT Rule	13ter.2 and 35 U.S.C. 1.821 - 1.825.										
18. A second copy of the published in	nternational application under 35 U.S.C. 154(c	I)(4).										
19. A second copy of the English lan	guage translation of the international applicati	on under 35 U.S.C. 154(d)(4).										
	press Mail Certificate est card											

JC10 RGC'd PCT/PTO 2 MAR 2001

U.S. APPLICATION IN THE	たっている h	INTERNATIONAL APPLICATIO	n no 199/07055		ATTORNEY'S DO	964.23
	ing fees are submit	ted:		CA	LCULATIONS	PTO USE ONLY
BASIC NATIONAL	•			•		No. 100 (A) (A)
Neither internation	al preliminary exa	nination fee (37 CFR 1.48	32)			
nor international se	earch fee (37 CFR 1	445(a)(2)) paid to USPT repared by the EPO or JPC	O [^]	.00		
International prelin USPTO but Intern	ninary examination ational Search Rep	fee (37 CFR 1.482) not port prepared by the EPO o	aid to r JPO \$86 0	.00		
International prelin but international se	ninary examination arch fee (37 CFR 1	fee (37 CFR 1.482) not p .445(a)(2)) paid to USPT0	aid to USPTO O	.00		
International prelin but all claims did n	ninary examination ot satisfy provision	fee (37 CFR 1.482) paid as of PCT Article 33(1)-(4)	to USPTO)	0.00		
and all claims satis	fied provisions of F	fee (37 CFR 1.482) paid of CT Article 33(1)-(4)	\$100	.00		
ENTE	R APPROPRIA	ATE BASIC FEE A	MOUNT =	\$	860.00	
Surcharge of \$130.0 months from the ear	0 for furnishing the liest claimed priori	30 \$	130.00			
CLAIMS	NUMBER FILE	D NUMBER EXTE	RA RATE	\$		
Total claims	40 - 20	= 20	x \$18.00	\$	360.00	
Independent claims	8 -3 =	= 5	x \$80.00	\$	400.00	
MULTIPLE DEPEN	DENT CLAIM(S)	(if applicable)	+ \$270.00	\$	270.00	
		AL OF ABOVE CAI		= \$	2020.00	
Applicant claim are reduced by	is small entity statu 1/2.	s. See 37 CFR 1.27. The	fees indicated above	+ \$	n/a	
			SUBTOTAL =	= \$	2020.00	
Processing fee of \$1 months from the ear	30.00 for furnishin liest claimed priori	g the English translation laty date (37 CFR 1.492(f)).	ater than 20	30 \$	n/a	
		TOTAL NA	TIONAL FEE =	= \$	2020.00	
Fee for recording the accompanied by an a	e enclosed assignm appropriate cover s	ent (37 CFR 1.21(h)). Th heet (37 CFR 3.28, 3.31).	e assignment must be \$40.00 per property	+ \$	40.00	
		TOTAL FEB	S ENCLOSED	= \$	2060.00	
				Am	ount to be refunded:	\$
					charged:	\$
a. X A check in	the amount of \$	2060.00 to co	ver the above fees is e	nclosed.	chargou.	
	ge my Deposit Acc e copy of this sheet		_ in the amount of \$		to cover the	ne above fees.
c. X The Comm overpayme	issioner is hereby ant to Deposit Acco	nuthorized to charge any a unt No. <u>08-1394</u> . A c	dditional fees which n luplicate copy of this s	nay be requisheet is en-	uired, or credit	any
		dit card. WARNING: In cluded on this form. Pro				
NOTE: Where an 1.137 (a) or (b)) m	appropriate time ust be filed and gr	limit under 37 CFR 1.49 anted to restore the appl	4 or 1.495 has not be ication to pending st	een met, a	petition to rev	ive (37 CFR
SEND ALL CORRESPO	ONDENCE TO			91	1/	
Warren B. Kice			SIG	NATURE		
Haynes and Bool	ne IIP			rren B. Ki	ce	
901 Main Street,			NAM			
Dallas, Texas 75	5202		22,7			
Phone: 214-651- Fax: 214-651-59					N NUMBER	
1 ax. 214-001-09	770		REC		1.10mDLK	

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DATE: 04/16/2001

PATENT APPLICATION: US/09/806,080

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	142			-		405	_			2	410	-2 -	1			415		
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	149	Asn	Lvs	Tle	Lvc	Tur	Dha	Acn	Tlo	COC	Cor	Tlo	αιa τlo	Com	Cla	y	Tou	1344
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	152	gaa	CON	pho	aat	Con	Cda	aag	gee	ECG	gaa	aat	agt	gaa	gat	tta	atg	1392
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ų.	161	Ile	Tyr	Asn	Lys	His	Asn	Ser	Ser									
771	162	•				485												
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and playing																		
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the transfer of the transfer o	167 168 170 171 172 174 175 177 178 180 181	<213 <400 Met 1 Asn Arg	22> TY 3> OH 3> OH 1> SH Lys Asp Lys Asn 50	(PE: RGAN) EQUEN Lys Leu Asn 35 Lys	PRT ISM: NCE: Tyr Val 20 Asn	Plas 2 Iie 5 Ile Ala Thr	Tyr Asn Tyr Lys	Ile Asn Ile Ser 55	Tyr Thr Asn 40 Arg	Phe Ser 25 Tyr Arg	Phe 10 Lys Gly Cys	Cys Ile Lys	Val Gly Arg 60	Ser Tyr 45 Ile	Ile 30 Asn Tys	15 Glu Gly Leu	Arg Pro Cys	
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 RAW SEQUENCE LISTING
 DATE: 04/16/2001

 PATENT APPLICATION: US/09/806,080
 TIME: 10:33:02

Input Set : A:\CPG.PTO.txt

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  216 Leu Asp Asn Asn Lys Val Leu Lys Thr Lys Cys Leu Cln Asp Asn Phe
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  222 Pro Phe Gln Asn Leu Thr Met Asp Glu Leu Lys Asn Val Thr Ser Glu
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  225 Asn Ala Leu Lys His Pro Lys Trp Lys Met Gly Lys Lys Ile Thr Ile
  226 290 295
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  228 Asp Ser Ala Thr Met Met Asn Lys Gly Leu Glu Val Ile Glu Thr His
  229 305
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                               315
  231 Phe Leu Phe Asp Val Asp Tyr Asn Asp Ile Glu Val Ile Val His Lys
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234 Glu Cys Ile Ile His Ser Cys Val Glu Phe Ile Asp Lys Ser Val 1le
  235
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235 340 237 Ser Gln Met Tyr Tyr Pro Asp Met Gln Ile Pro Ile Leu Tyr Ser Leu
238 355
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🕅 240 Thr Trp Pro Asp Arg Ile Lys Thr Asn Leu Lys Pro Leu Asp Leu Ala
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243 Cln Val Sor Thr Leu Thr Phe His Lys Pro Sor Leu Clu His Phe Pro
  244 385
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246 Cys Ile Lys Leu Ala Tyr Gln Ala Gly Ile Lys Gly Asn Phe Tyr Pro
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249 Thr Val Leu Asn Ala Scr Asn Glu Ile Ala Asn Asn Leu Phe Leu Asn
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253 435
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255 Glu Ser Phe Asn Ser Gln Lys Val Ser Glu Asn Ser Glu Asp Leu Met
256 450 455
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RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/806,080

DATE: 04/16/2001 TIME: 10:33:02

Input Set : A:\CPG.PTO.txt

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  286 aataatatte faaatttace tteegttttt getegatett eteatttteg ttteagettt 120
  288 tatca atg att fff aat tat gtg ttt ttt aag aac ttt gta cca gtt gtt 170
            Mct Ile Phe Asn Tyr Val Phe Phe Lys Asn Phe Val Pro Val Val
              1
                              5
  292 cta tac att ctc ctt ata ata tat att aac tta aat ggc atg aat aat
  293 Leu Tyr Ile Leu Leu Ile Ile Tyr Ile Asn Leu Asn Gly Met Asn Asn
                                           25
  296 aaa aat caa ata aaa aca gaa aaa att tat ata aag aaa ttg aat agg
                                                                         266
  297 Lys Asn Gln Ile Lys Thr Glu Lys Ile Tyr Ile Lys Lys Leu Asn Arg
  300 ttg toa agg aaa aat log tta tgt agt tot aaa aat aaa ata goa tgo
  301 Leu Ser Arg Lys Ash Ser Leu Cys Ser Ser Lys Ash Lys Tle Ala Cys
               50
                                   55
304 ttg ttc gat ata gga aat gat gat aat aga aat acg aca tat ggc tat
                                                                         362
305 Leu Phe Asp Ile Gly Asn Asp Asp Asn Arg Asn Thr Thr Tyr Gly Tyr
<u>1</u> 306
           65
                               70
308 aat gtg aat grt aaa aat gat gat att aat too tta ota aaa aat aat
                                                                         410
  309 Asn Val Asn Val Lys Asn Asp Asp Tle Asn Ser Leu Leu Lys Asn Asn
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                                               90
312 tat agt aat aaa ttg tac atg gat aag agg aaa aat att aat aat gta
                                                                         458
📆 313 Tyr Ser Asn Lys Leu Tyr Met Asp Lys Arg Lys Asn Ile Asn Asn Val
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                                          105
  316 att agt act aat aaa ata tot ggg too att toa aat att tgt agt aga
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320 aat caa aaa gaa aat gaa caa aaa aga aat aaa caa aga tgt tta act
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321 Asn Gln Lys Glu Asn Glu Gln Lys Arg Asn Lys Gln Arg Cys Leu Thr
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  324 caa tgt cac act tat aat atg tca cat gaa cag gac aaa cta gct aat
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🖫 325 Gln Cys His Thr Tyr Asn Met Ser His Glu Gln Asp Lys Leu Ala Asn
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  329 Asp Asn Asn Arg Asn Asn Lys Lys Asn Phe Asn Leu Leu Phe Ile Asn
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VERIFICATION SUMMARY

DATE: 04/16/2001

PATENT APPLICATION: US/09/806,080

TIME: 10:33:04

Input Set : A:\CPG.PTO.txt

Output Set: N:\CRF3\04162001\1806080.raw

 $\hbox{L:9 M:270 C: Current Application Number differs, Replaced Current Application Number L:10 M:271 C: Current Filing Date differs, Replaced Current Filing Date } \\$

DATE: 04/04/2001

PCT

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TIME: 11:20:05
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                     Output Set: N:\CRF3\04042001\1806080.raw
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3 <110> APPLICANT: Joman. Hassan
      5 <120> TITLE OF INVENTION: Gene des 1-Desoxy-D-xylulose-Biosynthesewegs
     7 <130> FILE REFERENCE: 15696
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C--> 9 <140> CURRENT APPLICATION NUMBER: US/09/806,080
                                                                     Corrected Diskette Needed
C--> 10 <141> CURRENT FILING DATE: 2001-03-22
     12 <150> PRIOR APPLICATION NUMBER: DE19923567.8
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     13 <151> PRIOR FILING DATE: 1999-05-22
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     16 <151> PRIOR FILING DATE: 1998-09-22
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  599 <212> TYPE: PRT
  600 <213> ORGANISM: Plasmodium falciparum
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  606 Tyr Ile Leu Leu Ile Ile Tyr Ile Asn Leu Asn Gly Met Asn Asn Lys
             20
                                          25
     609 Asn Gln Ile Lys Thr Glu Lys Ile Tyr Ile Lys Lys Leu Asn Arg Leu
     610
            35
                                      40
     612 Ser Arg Lys Asn Ser Leu Cys Ser Ser Lys Asn Lys Ile Ala Cys Leu
                                  55
     615 Phe Asp Ile Gly Asn Asp Asp Asn Arg Asn Thr Thr Tyr Gly Tyr Asn
     616 65
                              70
     618 Val Asn Val Lys Asn Asp Asp Ile Asn Ser Leu Leu Lys Asn Asn Tyr
     621 Ser Asn Lys Leu Tyr Met Asp Lys Arg Lys Asn Ile Asn Asn Val Ile
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                                         105
     624 Ser Thr Asn Lys Ile Ser Gly Ser Ile Ser Asn Ile Cys Ser Arg Asn
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     627 Gln Lys Glu Asn Glu Gln Lys Arg Asn Lys Gln Arg Cys Leu Thr Gln
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                                                     140
    630 Cys His Thr Tyr Asn Met Ser His Glu Gln Asp Lys Leu Ala Asn Asp
    631 145
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                                                155
    633 Asn Asn Arg Asn Asn Lys Lys Asn Phe Asn Leu Leu Phe Ile Asn Tyr
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                                            170
     636 Phe Asn Leu Lys Arg Met Lys Asn Ser Leu Leu Asn Lys Asp Asn Phe
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     639 Phe Tyr Cys Lys Glu Lys Lys Leu Ser Phe Leu His Lys Ala Tyr Lys
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RAW SEQUENCE LISTING

RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/806,080

DATE: 04/04/2001 TIME: 11:20:06

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		Arg 225	Asp	Ser	His	Lys	Leu 230	Phe	Ser	Gly	Glu	Phe 235	Asp	Asp	Tyr	Thr	Asn 240
	648 649	Asn	Asn	Ala	Leu	Tyr 245	Glu	Ser	Glu	Lys	Lys 250	Glu	Tyr	Ile	Thr	Leu 255	Asn
	651 652	Asn	Asn	Asn	Lys 260	Asn	Asn	Asn	Asn	Lys 265	Asn	Asn	Asp	Asn	Lys 270	Asn	Asn
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		Arg	Ser 290		His	Tyr	Asp	Asn 295		Gly	Gly	Asp	Asn 300		Asn	Pro	Cys
	660	Asn 305		Asn	Asn	Asp	Lys 310		Asp	Ile	Gly	Lys 315		Phe	Lys	Gln	
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		Ile	Tyr	Lys		325 Ile	Tyr	Glu	Leu		330 Val	Glu	Arg	Asn		335 Pro	Glu
		Tyr	Tyr		340 Arg	Lys	Tyr	Phe		345 Glu	Asp	Ile	Lys	_	350 Ser	Val	Leu
	670 672	Phe	Asn	355	Asn	Lvs	Туγ	Δen	360	Va l	Glu	Dho	Glu	365	Δla	Tlo	Tare
1	673		370					375					380				
W	675	Glu	Glu	Phe	Ile	Asn		Gly	Val	Tyr	Ile		Asn	Ile	Asp	Asn	
	6/6	385					390					395					400
#. ###	678 679	Tyr	Tyr	Lys	Lys	Glu 405	Asn	Ile	Leu	Ile	Met 410	Lys	Lys	Ile	Leu	His 415	Tyr
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	684 685	Lys	Lys	Gln 435	Tyr	Leu	Pro	Leu	Leu 440	Ala	His	Glu	Leu	Lys 445	Ile	Phe	Leu
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	706		- 1		_	_	550	_		1	_	555				_,	560
	709	Glu				565					570					575	
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RAW SEQUENCE LISTING DATE: 04/04/2001 PATENT APPLICATION: US/09/806,080 TIME: 11:20:06

Input Set : A:\S0109991.app

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		720	Ile 625	Ile	Gly	Asp	Gly	Gly 630		Thr	Gly	Gly	Met 635		Leu	Glu	Ala	Leu 640
				Tyr	Ile	Ser	Phe 645		Asn	Ser	Lys	Ile 650		Ile	Ile	Tyr	Asn 655	
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			Arg	Pro	Ile 675		Ser	Ile	Ser	Asp 680		Leu	His	Tyr	Phe 685		Ser	Asn
			Ile	Glu 690		Asn	Ala	Gly	Asp 695		Lys	Leu	Ser	Lys 700		Ala	Lys	Glu
		735	Asn 705	Asn	Ile	Phe	Glu	Asn 710		Asn	Tyr	Asp			Gly	Val	Val	
	Contract of the Contract of th	738		Asn	Asn	Thr	Glu 725		Leu	Phe	Lys		715 Leu	Asn	Asn	Ile		720 Glu
*		739 741 742	Asn	Lys	Leu	Lys 740		Ala	Thr	Val	Leu 745	730 His	Val	Arg	Thr		735 Lys	Ser
			Asn	Asp	Phe		Asn	Ser	Lys	Ser 760		Ile	Ser	Ile	Leu 765	750 His	Ser	Ile
	2000 A		Lys	Lys 770		Glu	Ile	Phe	Pro 775		Asp	Thr	Thr	Ile 780		Asn	Gly	Asn
				His	Lys	Glu	Asn	Lys 790		Glu	Glu	Glu	Lys 795		Val	Ser	Ser	Ser 800
				Lys	Tyr	Asp	Val 805		Asn	Lys	Asn	Asn 810		Asn	Asn	Asp	Asn 815	
	STATE OF STATE		Glu	Ile	Ile	Lys 820		Glu	Asp	Met	Phe 825		Lys	Glu	Thr	Phe 830		Asp
	Bazin Bazin		Ile	Tyr	Thr 835		Glu	Met	Leu	Lys 840		Leu	Lys	Lys	Asp 845		Asn	Ile
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			Ile	Ile	His 915		Leu	Asn	Leu	Gln 920		Ile	Pro	Leu	Lys 925		Ile	Ile
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				Ser	Asn	Gln	Val 965		Leu	Lys	Arg	Ala 970	-	Arg	Phe	Ala	Tyr 975	
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Input Set : A:\S0109991.app

Output Set: N:\CRF3\04042001\1806080.raw

789 Ser Asp Lys Tyr Met Lys Gly Tyr Leu Asn Ile His Met Lys Asn Glu 995 1000 792 Ser Lys Asn Ile Asp Val Asn Val Asp Ile Asn Asp Asp Val Asp Lys 1015 1020 795 Tyr Ser Glu Glu Tyr Met Asp Asp Asp Asn Phe Ile Lys Ser Phe Ile 1035 E--> 796 025 / 1030 798 Gly Lys Ser Arg Ile Ile Lys Met Asp Asn Glu Asn Asn Asn Thr Asn 1045 1050 1055 801 Glu His Tyr Ser Ser Arg Gly Asp Thr Gln Thr Lys Lys Lys Val 802 1060 1065 804 Cys Ile Phe Asn Met Gly Ser Met Leu Phe Asn Val Ile Asn Ala Ile 805 1075 1080 807 Lys Glu Ile Glu Lys Glu Gln Tyr Ile Ser His Asn Tyr Ser Phe Ser 808 1090 1095 1100 81∜ Ile Val Asp Met Ile Phe Leu Asn Pro Leu Asp Lys Asn Met Ile Asp 1110 1115 813 His Val Ile Lys Gln Asn Lys His Gln Tyr Leu Ile Thr Tyr Glu Asp 1125 1130 816 Asn Thr Ile Gly Gly Phe Ser Thr His Phe Asn Asn Tyr Leu Ile Glu 1145 1140 819 Asn Asn Tyr Ile Thr Lys His Asn Leu Tyr Val His Asn Ile Tyr Leu 820 1155 1160 822 Ser Asn Glu Pro Ile Glu His Ala Ser Phe Lys Asp Gln Gln Glu Val 1175 **23** 1170 1175 1180 825 Val Lys Met Asp Lys Cys Ser Leu Val Asn Arg Ile Lys Asn Tyr Leu E--> 826 185 / 1190 1195 828 Lys Asn Asn Pro Thr 829 Involid amino acid numbers. Move numbers circled one space to the right as shown below. 1025 I/e Val 1185

VERIFICATION SUMMARYDATE: 04/04/2001PATENT APPLICATION: US/09/806,080TIME: 11:20:07

Input Set : A:\S0109991.app

Output Set: N:\CRF3\04042001\1806080.raw

L:1 M:259 W: Allowed number of lines exceeded, (1) GENERAL INFORMATION:

 $L:9 \cancel{M}:270 \text{ C: Current Application Number differs, Replaced Current Application Number}$

L:10 M:271 C: Current Filing Date differs, Replaced Current Filing Date

L:796 M:332 E: (32) Invalid/Missing Amino Acid Numbering, SEQ ID:4

M:332, Repeated in SeqNo=4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jomaa

Attorney Docket No.: 12964.23

Serial No.: United States National Phase

of PCT/EP99/07055

I. A. Filing Date: 22 SEP1999

Filed: Herewith

Priority Date: 22 SEP 1998

For: **GENES OF THE 1-DEOXY**

D-XYLULOSE BIOSYNTHESIS

PATHWAY

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Attention: DO/EO/US

Commissioner For Patents Washington, D.C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Prior to the initial examination of the above-identified application, please amend the application as follows:

IN THE CLAIMS:

- 6. (Amended) Process for the production of transgenic viruses, eukaryotes and prokaryotes for modifying the isoprenoid content, characterized in that a DNA sequence according to claim 4 is transferred and incorporated into the genome of viruses, eukaryotic and prokaryotic cells with or without use of a vector.
- 7. (Amended) Transgenic systems, in particular plants and plant cells which contain one or more DNA sequences according to one of claims 1 to 3 as "foreign" or "additional" DNA, which sequences are expressed.

- 8. (Amended) Expression vector containing one or more DNA sequences according to one of claims 1 to 3.
- 11. (Amended) Protein according to claim 9, characterized in that it a) is the product of viral, prokaryotic or eukaryotic expression of exogenous DNA, b) is coded by sequences SEQ ID no. 1, 3 or 5 or is coded by DNA sequences which hybridize with DNA sequences SEQ ID no. 1, 3, 5 or fragments of these DNA sequences in the DNA region which codes for the mature protein, or c) is coded by DNA sequences which would hybridize without degeneration of the genetic code with the sequences defined in b) and which code for a polypeptide with a corresponding amino acid sequence.
- 12. (Amended) Protein according to one of claims 1-3, 6, 9, 10, 11, 22 and 23 characterized in that it comprises the amino acid sequences SEQ ID no. 2, 4 or 6.
- 18. (Amended) Use of DNA according to one of claims 1 to 3.

Please add the following Claims 19-23.

- 19. Use of proteins according to claim 9.
- 20. Use of proteins according to Claim 10.
- 21. Use of transgenic systems according to claim 7 for the prevention or treatment of diseases in humans and animals.
- 22. Process for the production of transgenic viruses, eukaryotes and prokaryotes for modifying the isoprenoid content, characterized in that a DNA sequence according to claim 5 is transferred and incorporated into the genome of viruses, eukaryotic and prokaryotic cells with or without use of a vector.

23. Protein according to claim 10, characterized in that it a) is the product of viral, prokaryotic or eukaryotic expression of exogenous DNA, b) is coded by sequences SEQ ID no. 1, 3 or 5 or is coded by DNA sequences which hybridize with DNA sequences SEQ ID no. 1, 3, 5 or fragments of these DNA sequences in the DNA region which codes for the mature protein, or c) is coded by DNA sequences which would hybridize without degeneration of the genetic code with the sequences defined in b) and which code for a polypeptide with a corresponding amino acid sequence.

REMARKS

Claims 1-23 remain in the application. Claims 6, 7, 8, 11, 12 and 18 have been amended. Claims 19-23 have been added. The filing fee has been calculated according to the above-amendments.

Should the Examiner have any questions or comments regarding the amendments, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully sybmitted,

Warren B. Kice

Registration No. 22,732

Dated: 3/22/0/ HAYNES AND BOONE, L.L.P. 901 Main Street, Suite 3100 Dallas, Texas 75202-3789 Telephone: 214/651-5634

Fax: 214/651-5940

Docket Number: 12964.23

D-880233.1

EXPRESS MAIL NO.: <u>EL418590374US</u>

DATE OF DEPOSIT: Much 22, 200

This paper and fee are being deposited with the U.S. Postal Service Express Mail Post Office to Addressee service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231

SANDRA KUBIN

Name of person mailing paper and fee

Signature of person mailing paper and fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: *๛๛๛๛๛๛๛๛๛๛๛* Jomaa Attorney Docket No.: 12964.23

Serial No.: United States National Phase I. A. Filing Date: 22 SEP1999 of PCT/EP99/07055

Priority Date: 22 SEP 1998

For: **GENES OF THE 1-DEOXY** D-XYLULOSE BIOSYNTHESIS

PATHWAY

Attention: DO/EO/US Commissioner For Patents Washington, D.C. 20231

Filed: Herewith

REDLINE VERSION FOR PRELIMINARY AMENDMENT

- (Amended) Process for the production of transgenic viruses, eukaryotes and prokaryotes for modifying the isoprenoid content, [characterised] characterized in that a DNA sequence according to claim 4 [or 5] is transferred and incorporated into the genome of viruses, eukaryotic and prokaryotic cells with or without use of a vector.
- (Amended) Transgenic systems, in particular plants and plant cells which 7. contain one or more DNA sequences according to one of claims 1 to [5]3 as "foreign" or "additional" DNA, which sequences are expressed.
- (Amended) Expression vector containing one or more DNA sequences according to one of claims 1 to [5] 3.
- (Amended) Protein according to [one of] claim[s] 9 [and 10], [characterised] 11. characterized in that it a) is the product of viral, prokaryotic or eukaryotic expression of exogenous DNA, b) is coded by sequences SEQ ID no. 1, 3 or 5 or is coded by DNA sequences which [hybridise] hybridize with DNA sequences SEQ ID no. 1, 3, 5 or fragments of these DNA sequences in the DNA region which codes for the mature protein, or c) is coded by DNA sequences which would [hybridise] hybridize without degeneration of the genetic code with the sequences defined in b) and which code for a polypeptide with a corresponding amino acid sequence.
- (Amended) Protein according to one of [the preceding] claims 1-3, 6, 9, 10, 11, 22 and 23 [characterised] characterized in that it comprises the amino acid sequences SEQ ID no. 2, 4 or 6.

18. (Amended) Use of DNA according to one of claims 1 to [5] <u>3.</u> [or of proteins according to one of claims 9 to 12 or of transgenic systems according to claim 7 for the prevention or treatment of diseases in humans and animals.]

09/806089 PTO/PCT Flac'd 01 JUN2001

PATENT/DOCKET 12964.23

I. A. Filing Date: 22 SEP1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hassan Jomaa

Serial No.: 09/806,080

Priority Date: 22 SEP 1998 Filed: March 22, 2001

GENES OF THE 1-DEOXY D-XYLULOSE BIOSYNTHESIS PATHWAY For:

Attention: DO/EO/US

Box PCT

Commissioner for Patents Washington, D.C. 20231

RESPONSE TO COMPLY WITH REQUIREMENTS FOR SEQUENCE DISCLOSURES

Sir:

The information recorded in computer readable form (diskette sent with original filing on 22 March 2001) is identical to the written sequence listing.

We believe this response to complete the requirements under 35 U.S.C. 371.

Respectfully submitted,

Warren B. Kice Reg. No. 22,732

Dated:

HAYNES AND BOONE, L.P. 901 Main Street, Suite 3100 Dallas, Texas 75202-3789 Telephone: 214/651-5634

Fax: 214/651-5940

Docket Number: 12964.23

D-900261.1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box PCT,

Washington, D.C. 20231

JC10 Rec'd PCT/PTO 2 2 MAR 2004

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Genes of the 1-deoxy-D-xylulose biosynthesis pathway

The present invention relates to DNA sequences which, when incorporated into the genome of viruses, eukaryotes and prokaryotes, modify isoprenoid biosynthesis and to a genetic engineering process for the production of these transgenic viruses, eukaryotes and prokaryotes. The invention also relates to a process for the identification of substances having herbicidal, antimicrobial, antiparasitic, antiviral, fungicidal, bactericidal action in plants and antimicrobial, antiparasitic, antiparasitic, antibacterial and antiviral action in humans and animals.

The biosynthesis pathway for the formation of isoprenoids via the classical acetate/mevalonate pathway and an alternative mevalonate-independent biosynthesis pathway, the deoxy-D-xylulose phosphate pathway is already known (Rohmer, M., Knani, M., Simonin, P., Sutter, B. and Sahm, H. (1993): Biochem. J. 295: 517-524).

It is, however, not known how and by which pathways it is possible to bring about a change in the isoprenoid concentration in viruses, eukaryotes and prokaryotes by means of the deoxy-D-xylulose phosphate pathway. Figure 1 shows this biosynthesis pathway.

DNA sequences are consequently provided which code for 1-deoxy-D-xylulase 5-phosphate synthase (DOXP synthase), 1-deoxy-D-xylulose 5-phosphate reductoisomerase (DOXP reductoisomerase) or the gcpE protein. All three genes and enzymes are involved in isoprenoid biosynthesis.

- 1 -

(Translator's comment: The portion at the beginning of the next paragraph enclosed in square brackets corresponds to the beginning of the sentence which finishes on page 2, line 1 of the original).

[The gcpE protein has a kinase function and catalyses the phosphorylation of a sugar or a phosphorus sugar or a precursor of isoprenoid biosynthesis, in particular the phosphorylation of 2-C-methyl-D-erythritol, 2-C-methyl-D-erytritol phosphate, in particular 2-C-methyl-D-erythritol 4-phosphate, 2-C-methyl-D-erythrose, 2-C-

methyl-D-erythrose] phosphate, in particular 2-C-methyl-D-erythrose 4-phosphate. In the precursor of isoprenoid synthesis, the gcpE protein in particular catalyses the phosphorylation of the following substances:

$$CH_2(OH) - C(CH_3) = C(OH) - CH_2 - O - PO(OH)_2$$
,

15 $CH_2(OH) - C(CH_3) = C(OH) - CH_2 - OH$, $CH_2(OH) - CH(CH_3) - CO - CH_2 - O - PO(OH)_2$, $CH_2(OH) - CH(CH_3) - CO - CH_2OH$ $CH_2 = C(CH_3) - CO - CH_2 - O - PO(OH)_2$,

$$CH_2=C(CH_3)-CO-CH_2-OH$$

- 20 $CH_2=C(CH_3)-CH(OH)-CH_2-O-PO(OH)_2$, $CH_2=C(CH_3)-CH(OH)-CH_2-OH$, $CH_2(OH)-C(=CH_2)-C(OH)-CH_2-O-PO(OH)_2$, $CH_2(OH)-C(=CH_2)-C(OH)-CH_2-O+$ $CH_2(OH)-C(=CH_2)-C(OH)-CH_2-O+$ $CHO-CH(CH_3)-CH(OH)-CH_2-O-PO-(OH)_2$,
- 25 $CHO-CH(CH_3)-CH(OH)-CH_2-OH$, $CH_2(OH)-C(OH)(CH_3)-CH=CH-O-PO(OH)_2$, $CH_2(OH)-C(OH)(CH_3)-CH=CH-OH$ $CH(OH)=C(CH_3)-CH(OH)-CH_2-O-PO(OH)_2$, $CH(OH)=C(CH_3)-CH(OH)-CH_2-OH$,
- 30 (CH₃)₂HC-CO-CH₂-O-PO (OH)₂, (CH₃)₂HC-CO-CH₂-O-H, (CH₃)₂HC-CH (OH) -CH₂-O-PO (OH)₂, (CH₃)₂HC-CH (OH) -CH₂-O-H.

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DOXP synthase catalyses the condensation of pyruvate and glyceraldehyde 3-phosphate to yield 1-deoxy-D-xylulose 5-phosphate and DOXP reductoisomerase catalyses the conversion of 1-deoxy-D-xylulose 5-phosphate into 2-C-methyl-D-erythritol 4-phosphate (c.f. Fig. 1).

The invention relates to the following DNA sequences:

DNA sequences which code for a polypeptide with the amino acid sequence shown in SEQ ID no. 2 or for an analogue or derivative of the polypeptide according to SEQ ID no. 2, in which one or more amino acids have been deleted, added or replaced by other amino acids, wherein the enzymatic action of the polypeptide is retained, and which sequences originate from parasites, wherein sequence variations occurring within the framework of natural strain variability are included,

DNA sequences which code for a polypeptide with the amino acid sequence shown in SEQ ID no. 4 or for an analogue or derivative of the polypeptide according to SEQ ID no. 4, in which one or more amino acids have been deleted, added or replaced by other amino acids, wherein the enzymatic action of the polypeptide is retained, and which sequences originate from parasites, wherein sequence variations occurring within the framework of natural strain variability are included,

and DNA sequences which code for a polypeptide with the amino acid sequence shown in SEQ ID no. 6 or for an analogue or derivative of the polypeptide according to SEQ ID no. 6, in which one or more amino acids have been

deleted, added or replaced by other amino acids, wherein the catalytic function of the polypeptide is retained.

- The genes and the gene products thereof (polypeptides)

 are shown with their primary structure and are assigned as follows:
 - SEQ ID no. 1: 1-deoxy-D-xylulose 5-phosphate reductoisomerase gene
 - SEQ ID no. 2: 1-deoxy-D-xylulose 5-phosphate reductoisomerase
 - SEQ ID no. 3: 1-deoxy-D-xylulose 5-phosphate synthase gene
 - SEQ ID no. 4: 1-deoxy-D-xylulose 5-phosphate synthase

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a 100 Y

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SEQ ID no. 5: gcpE gene

SEQ ID no. 6: gcpE proteins.

The DNA sequences all originate from *Plasmodium* falciparum.

Apart from the DNA sequences stated in the sequence listing, suitable sequences are also those which, as a result of the degeneration of the genetic code, have another DNA sequence, but code for the same peptide or for an analogue or derivative of the polypeptide, in which one or more amino acids have been deleted, added or replaced by other amino acids.

- The sequences according to the invention are suitable for the expression of genes in viruses, eukaryotes and prokaryotes which are responsible for isoprenoid biosynthesis in the 1-deoxy-D-xylulose pathway.
- According to the invention, eukaryotes or eukaryotic cells include animal cells, plant cells, algae, yeasts, fungi, while prokaryotes or prokaryotic cells include bacteria, archaebacteria and eubacteria.
- When a DNA sequence is incorporated into a genome on which the above-stated DNA sequence is located, expression of the above-described genes in viruses, eukaryotes and prokaryotes is enabled. The viruses, eukaryotes and prokaryotes transformed according to the invention are cultivated in a manner known per se and the isoprenoid formed during such cultivation is isolated and optionally purified. Not all isoprenoids need to be

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isolated as in some case the isoprenoids are released directly into the ambient air.

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The invention furthermore relates to a process for the production of transgenic viruses, eukaryotes and prokaryotes in order to modify the isoprenoid content, which process comprises the following steps.

- Production of a DNA sequence with the following suba) sequences
 - promoter which is active in viruses, eukaryotes and prokaryotes and ensures the formation of an RNA in the intended target tissue or target cells,
 - DNA sequence which codes for a polypeptide with ii) the amino acid sequence shown in SEQ ID no. 2, 4 or 6 or for an analogue or derivative of the polypeptide according to SEQ ID no. 2, 4 or 6,
 - iii) 5' and 3' untranslated sequence which enables or enhances expression of the stated genes in viruses, eukaryotes and prokaryotes,
- transfer and incorporation of the DNA sequence into b.) the genome of viruses, prokaryotic or eukaryotic cells with or without the use of a vector (for example plasmid, viral DNA).

The intact, whole plants may be regenerated from plant cells transformed in this manner.

The protein-coding sequences with the nucleotide 30 sequences SEQ ID no. 1, SEQ ID no. 3 and SEQ ID no. 5 may be provided with a promoter which ensures transcription in certain organs or cells, which promoter is coupled in

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sense orientation (3' end of the promoter to the 5' end of the coding sequence) to the sequence which codes the protein to be formed. A termination signal which determines termination of mRNA synthesis is attached to the 3' end of the coding sequence. In order to direct the protein which is to be expressed to certain subcellular compartments, such as chloroplasts, amyloplasts, mitochondria, vacuoles, cytosol or intercellular spaces, a further sequence which codes for a so-called signal sequence or a transit peptide may be inserted between the promoter and the coding sequence. In some cases, it is necessary to insert sequences which code for a signal at the COOH terminus of the protein. The sequence must be in the same reading frame as the coding sequence of the protein. A large number of cloning vectors is available in order to prepare for the introduction of the DNA sequences according to the invention into higher plants, which vectors contain a replication signal for E. coli and a marker which permits selection of the transformed cells. Depending upon the method by which desired genes are introduced into the plant, further DNA sequences may be required. If, for example, the Ti or Ri plasmid is used to transform the plant cells, at least one right border, but frequently the right border and left border of the Ti and Ri plasmid T-DNA must be inserted as a flanking region into the genes to be introduced. The use of T-DNA for transforming plant cells has been intensively investigated and comprehensively described in EP 120516; Hoekama in "The Binary Plant Vector System", Offset-drukkerij Kanters B.V. Alblasserdam (1985), chapter V; Fraley et al., Crit.Rev.Plant Sci. 4, 1-46 and An et al. (1985) EMBO J. 4, 277-287. Once the introduced DNA has been incorporated into the genome, it is

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generally stable and is also retained in the descendants of the originally transformed cells. It normally contains a selection marker, which imparts to the transformed plant cells resistance to a biocide or an antibiotic, such as kanamycin, G 418, bleomycin, hygromycin or phosphinotricin and others. The particular marker used is thus intended to allow selection of transformed cells from cells lacking the inserted DNA.

Many techniques are available for introducing DNA into a plant. These techniques include transformation with the assistance of agrobacteria, for example Agrobacterium tumefaciens, protoplast fusion, microinjection of DNA, electroporation, as well as ballistic methods and virus infection. Whole plants may then be regenerated from the transformed plant material in a suitable medium which may contain antibiotics or biocides for selection purposes. No particular requirements are placed upon the plasmids for injection and electroporation. However, if whole plants are to be regenerated from such transformed cells, a selectable marker gene must be present. The transformed cells grow in the plants in the conventional manner (McCormick et al. (1986), Plant Cell Reports 5, 81-84). The plants may be cultivated normally and be crossed with plants which have the same transformed genome or other genomes. The resultant individuals have the corresponding phenotypic properties.

The present invention also provides expression vectors which contain one or more of the DNA sequences according to the invention. Such expression vectors are obtained by providing the DNA sequences according to the invention with suitable functional regulation signals. Such

regulation signals are DNA sequences which are responsible for expression, for example promoters, operators, enhancers, ribosomal binding sites, and are recognised by the host organism.

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Further regulation signals, which for example control replication or recombination of the recombinant DNA in the host organism, may optionally also be a constituent part of the expression vector.

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The host organisms transformed with the DNA sequences or expression vectors according to the invention are also provided by the present invention.

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Suitable host cells and organisms for expressing the enzymes according to the invention are those which comprise no intrinsic enzymes with the function of DOXP synthase, DOXP reductoisomerase or the gcpE protein. This is the case for archaebacteria, animals, fungi, slime moulds and some eubacteria. The absence of such intrinsic enzyme activity substantially facilitates detection and purification of the recombinant enzymes. As a consequence, it is also for the first time possible straightforwardly to measure, in crude extracts from the host cells, the activity and in particular the inhibition of the activity of the recombinant enzymes according to the invention by various chemicals and pharmaceuticals.

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The enzymes according to the invention are advantageously then expressed in eukaryotic cells if post-translational modification and native folding of the polypeptide chain is to be achieved. Moreover, depending upon the expression system, it is ensured when expressing genomic

DNA sequences that introns are eliminated by splicing the DNA and the enzymes are produced in the polypeptide sequences characteristic to the parasites. Using recombinant DNA techniques, sequences coding for introns may be eliminated from or inserted for experimental purposes into the DNA sequences to be expressed.

The protein may be isolated from the host cell or the culture supernatant of the host cell using methods known to the person skilled in the art. *In vitro* reactivation of the enzymes may also be required.

In order to facilitate purification, the enzymes according to the invention or sub-sequences of the enzymes may be expressed as fusion proteins with various peptide chains. Oligo-histidine sequences and sequences derived from glutathione S-transferase, thioredoxin or calmodulin-binding peptides are particularly suitable for this purpose.

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The enzymes according to the invention or sub-sequences of the enzymes may furthermore be expressed as fusion proteins with such peptide chains known to the person skilled in the art that the recombinant enzymes are transported into the extracellular medium or into certain compartments of the host cells. Both purification and investigation of the biological activity of the enzymes may consequently be facilitated.

When expressing the enzymes according to the invention, it may prove convenient to modify individual codons.

Purposeful replacement of bases in the coding region may here also be advisable if the codons used in the

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parasites differ from the codon use in the heterologous expression system, in order to ensure optimal synthesis of the protein.

The enzymes according to the invention may furthermore be obtained under standardised conditions by in vitro translation by methods known to the person skilled in the art. Systems suitable for this purpose are rabbit reticulocyte and wheat germ extracts and bacterial

1 lysates. In vitro transcribed mRNA may also be translated

10 lysates. In vitro transcribed mRNA may also be translated into Xenopus oocytes.

Oligo- and polypeptides, the sequences of which are derived from the peptide sequence of the enzymes according to the invention, may be obtained by chemical synthesis. Given appropriate selection of the sequences, such peptides have properties which are characteristic of the enzymes according to the invention. Such peptides may be produced in large quantities and are particularly suitable for investigating the kinetics of enzyme activity, regulation of enzyme activity, the three-dimensional structure of the enzymes, inhibition of enzyme activity by various chemicals and pharmaceuticals and the binding geometry and binding affinity of various ligands.

DNA with the nucleotides from sequences SEQ ID no. 1, 3 and 5 are preferably used for the recombinant production of the enzymes according to the invention.

The invention accordingly moreover relates to a process for screening for compounds which inhibit the deoxy-D-xylulose phosphate metabolic pathway. According to this

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process, a host organism, which contains a recombinant expression vector, wherein the vector comprises at least a portion of the oligonucleotide sequence according to SEQ ID no. 1, SEQ ID no. 3 or SEQ ID no. 5 or variants or homologues thereof, is provided, as is a compound which is suspected to have antimicrobial, antiparasitic, antibacterial, antiviral and antimycotic action in humans and animals or an antimicrobial, antiviral, bactericidal, herbicidal or fungicidal activity in plants. The host organism is then brought into contact with the compound and the activity of the compound determined.

The present invention also provides methods for determining the enzymatic activity of the gcpE protein. Said activity may be determined using known methods. Determination is performed by detecting the phosphorylation of a sugar or of a phosphorus sugar or of a precursor of isoprenoid biosynthesis, in particular the phosphorylation of 2-C-methyl-D-erythritol, 2-C-methyl-D-erytritol phosphate, in particular 2-C-methyl-D-erythritol 4-phosphate, 2-C-methyl-D-erythrose, 2-C-methyl-D-erythrose phosphate, in particular 2-C-methyl-D-erythrose 4-phosphate. The present invention also provides the use of this measurement method for identifying substances which inhibit the activity of the particular enzymes.

The enzymatic activity of DOXP synthase and DOXP reductoisomerase may be detected in a single step by determining the conversion of glyceraldehyde 3-phosphate into 2-C-methylerythritol 4-phosphate.

Determination of the activities of DOXP synthase and DOXP reductoisomerase proceeds analogously. Fluorimetric methods described by Querol et al. are also suitable for determining DOXP synthase activity (Querol et al., abstracts, 4th European Symposium on Plant Isoprenoids, Barcelona, 21-23 April 1999).

Claims

- 1. DNA sequences which code for a polypeptide with the amino acid sequence shown in SEQ ID no. 2 or for an analogue or derivative of the polypeptide according to SEQ ID no. 2, in which one or more amino acids have been deleted, added or replaced by other amino acids, wherein the enzymatic action of the polypeptide is retained, and which sequences originate from parasites, wherein sequence variations occurring within the framework of natural strain variability are included.
- 2. DNA sequences which code for a polypeptide with the amino acid sequence shown in SEQ ID no. 4 or for an analogue or derivative of the polypeptide according to SEQ ID no. 4, in which one or more amino acids have been deleted, added or replaced by other amino acids, wherein the enzymatic action of the polypeptide is retained, and which sequences originate from parasites, wherein sequence variations occurring within the framework of natural strain variability are included.
- 25 3. DNA sequences which code for a polypeptide with the amino acid sequence shown in SEQ ID no. 6 or for an analogue or derivative of the polypeptide according to SEQ ID no. 6, in which one or more amino acids have been deleted, added or replaced by other amino acids wherein the catalytic function of the polypeptide is retained.

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4. DNA sequence according to one of claims 1 to 3, characterised in that it also comprises functional regulation signals, in particular promoters, operators, enhancers, ribosomal binding sites.

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- 5. DNA sequence with the following sub-sequences
 - i) promoter which is active in viruses, eukaryotes and prokaryotes and ensures the formation of an RNA in the intended target tissue or target cells,

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ii) DNA sequences according to one of claims 1 to 3,

iii) 3' untranslated sequence which, in viruses, eukaryotes and prokaryotes, results in the addition of poly(A) residues onto the 3' end of the RNA.

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6. Process for the production of transgenic viruses, eukaryotes and prokaryotes for modifying the isoprenoid content, characterised in that a DNA sequence according to claim 4 or 5 is transferred and incorporated into the genome of viruses, eukaryotic and prokaryotic cells with or without use of a vector.

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7. Transgenic systems, in particular plants and plant cells which contain one or more DNA sequences according to claims 1 to 5 as "foreign" or "additional" DNA, which sequences are expressed.

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8. Expression vector containing one or more DNA sequences according to claims 1 to 5.

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- 9. Protein which is involved in the 1-deoxy-D-xylulose 5-phosphate metabolic pathway and a) is coded by DNA sequences SEQ ID no. 1, 3 or 5 or b) is coded by DNA sequences which hybridise with DNA sequences SEQ ID no. 1, 3, 5 or fragments of these DNA sequences in the DNA region which codes for the mature protein.
- 10. Protein according to claim 9, obtainable from the culture supernatants of parasites or from the disrupted parasites and purification by chromatographic and electrophoretic methods.
- 11. Protein according to one of claims 9 and 10, characterised in that it a) is the product of viral, prokaryotic or eukaryotic expression of exogenous DNA, b) is coded by sequences SEQ ID no. 1, 3 or 5 or is coded by DNA sequences which hybridise with DNA sequences SEQ ID no. 1, 3, 5 or fragments of these DNA sequences in the DNA region which codes for the mature protein, or c) is coded by DNA sequences which would hybridise without degeneration of the genetic code with the sequences defined in b) and which code for a polypeptide with a corresponding amino acid sequence.
- 12. Protein according to one of the preceding claims, characterised in that it comprises the amino acid sequences SEQ ID no. 2, 4 or 6.
- 30 13. Process for determining the enzymatic activity of the gcpE protein, characterised in that phosphorylation of a sugar or of a phosphorus sugar or of a precursor of isoprenoid biosynthesis, in

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particular the phosphorylation of 2-C-methyl-D-erythritol, 2-C-methyl-D-erytritol phosphate, in particular 2-C-methyl-D-erythritol 4-phosphate, 2-C-methyl-D-erythrose phosphate, in particular 2-C-methyl-D-erythrose 4-phosphate, and of phosphate and alcohol precursors, is detected.

14. Process according to claim 13, characterised in that phosphorylation of the following phosphates or alcohols is detected:

 $CH_2(OH) - C(CH_3) = C(OH) - CH_2 - O - PO(OH)_2$,

 $CH_2(OH) - C(CH_3) = C(OH) - CH_2 - OH$,

 $CH_{2}(OH) - CH(CH_{3}) - CO - CH_{2} - O - PO(OH)_{2}$,

15 CH₂ (OH) -CH (CH₃) -CO-CH₂OH

 $CH_2=C(CH_3)-CO-CH_2-O-PO(OH)_2$,

 $CH_2=C(CH_3)-CO-CH_2-OH$,

 $CH_2 = C (CH_3) - CH (OH) - CH_2 - O - PO (OH)_2$

 $CH_2=C(CH_3)-CH(OH)-CH_2-OH$,

20 $CH_2(OH) - C(=CH_2) - C(OH) - CH_2 - O - PO(OH)_2$,

 CH_2 (OH) -C (= CH_2) -C (OH) $-CH_2$ -OH

 $CHO-CH(CH_3)-CH(OH)-CH_2-O-PO-(OH)_2$,

 $CHO-CH(CH_3)-CH(OH)-CH_2-OH$,

 $CH_2(OH) - C(OH)(CH_3) - CH = CH - O - PO(OH)_2$,

 CH_2 (OH) -C (OH) (CH_3) -CH=CH-OH

 $CH(OH) = C(CH_3) - CH(OH) - CH_2 - O - PO(OH)_2$,

 $CH(OH) = C(CH_3) - CH(OH) - CH_2 - OH$,

 $(CH_3)_2HC-CO-CH_2-O-PO(OH)_2$,

(CH₃)₂HC-CO-CH₂-O-H,

30 $(CH_3)_2HC-CH(OH)-CH_2-O-PO(OH)_2$,

 $(CH_3)_2HC-CH(OH)-CH_2-O-H$.

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- 15. Process for the combined determination of the enzymatic activity of DOXP synthase and of DOXP reductase, characterised in that the conversion of glyceraldehyde 3-phosphate into 2-C-methylerythritol 4-phosphate is detected.
- 16. Process for screening a compound for the treatment of infectious processes in humans and animals, wherein the process comprises:
 - a) provision of a host cell which contains a recombinant expression vector, wherein the vector comprises at least a portion of the oligonucleotide sequence according to SEQ ID no. 1, SEQ ID no. 3 or SEQ ID no. 5 or variants or analogues thereof, and moreover of a compound suspected to have antimycotic, antibiotic, antiparasitic or antiviral action in humans and animals,
 - b) bringing the host cell into contact with the compound and
 - c) determining the antimicrobial, antimycotic, antibiotic, antiparasitic or antiviral action of the compound.
- 25 17. Process for screening for compounds for treating plants, wherein the process comprises:
 - a) provision of a host cell which contains a recombinant expression vector, wherein the vector comprises at least a portion of the oligonucleotide sequence according to SEQ ID no. 1, SEQ ID no. 3 or SEQ ID no. 5 or variants or analogues thereof, and moreover of a compound suspected to have antimicrobial,

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- antiviral, antiparasitic, bactericidal, fungicidal or herbicidal action in plants,
- b) bringing the host cell into contact with the compound and
- c) determining the antimicrobial, antiviral, antiparasitic, bactericidal, fungicidal or herbicidal action of the compound.
- 18. Use of DNA according to one of claims 1 to 5 or of proteins according to one of claims 9 to 12 or of transgenic systems according to claim 7 for the prevention or treatment of diseases in humans and animals.

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09/806080

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PTO/SB/103 (8-96)
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Declaration and Power of Attorney for Patent Application Erklärung für Patentanmeldungen mit Vollmacht

German Language Declaration

Als nachstehend benannter Erfinder erkläre ich hiermit an Eides	As a below named inventor, I hereby declare that:
Statt: daß mein Wohnsitz, meine Postanschrift und meine Staatsangehörigkeit den im nachstehenden nach meinem Namen aufgeführten Angaben entsprechen, daß ich nach bestem Wissen der ursprüngliche, erste und alleinige Erfinder (falls nachstehend nur ein Name angegeben ist) oder ein ursprünglicher, erster und Miterfinder (falls nachstehend mehrere Namen aufgeführt sind) des Gegenstandes bin, für den dieser Antrag gestellt wird und für den ein Patent für die Erfindung mit folgendem Titel beantragt wird:	My residence, post office address and citizenship are as stated next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled
deren Beschreibung hier beigefügt ist, es sei denn (in diesem Falle Zutreffendes bitte ankreuzen), diese Erfindung wurde angemeldet am unter der US-Anmeldenummer oder unter der Internationalen Anmeldenummer im Rahmen des Vertrags über die Zusammenarbeit auf dem Gebiet des Patentwesens (PCT) und am abgeändert (falls zutreffend).	the specification of which is attached hereto unless the following box is checked: was filed on as United States Application Number or PCT International Application Number and was amended on (if applicable).
Ich bestätige hiermit, daß ich den inhalt der oben angegebenen Patentanmeldung, einschließlich der Ansprüche, die eventuell durch einen oben erwähnten Zusatzantrag abgeändert wurde, durchgesehen und verstanden habe.	I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.
Ich erkenne meine Pflicht zur Offenbarung jeglicher Informationen an, die zur Prüfung der Patentfähigkeit in Einklang mit Titel 37, Code of Federal Regulations, § 1.56 von Belang sind.	I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

German Language Declaration

Ich beanspruche hiermit ausländische Prioritätsvorteile gemäß Title 35, US-Code, § 119 (a)-(d), bzw. § 365(b) aller unten aufgeführten Auslandsanmeldungen für Patente oder Erfinderurkunden, oder § 365(a) aller PCT internationalen Anmeldungen, welche wenigstens ein Land ausser den Vereinigten Staaten von Amerika benennen, und habe nachstehend durch ankreuzen sämtliche Auslands- anmeldungen für Patente bzw. Erfinderurkunden oder PCT internationale Anmeldungen angegeben, deren Anmelderag dem der Anmeldung, für weiche Prioritat beansprucht wird, vorangeht.

Prior Foreign Applications (Frühere ausländische Anmeldungen)

	Germany	
(Number) (Nummer)	(Country) (Land)	
	Germany	
(Number) (Nummer)	(Country) (Land)	
	mit Prioritätsvorteile unte Ifsanmeldungen wie unte	
(Application No.) (Aktenzeichen)	(Filing Date) (Anmeldetag)	
(Application No.) (Aktenzeichen)	(Filing Date) (Anmeldetag)	
zustehenden Vorteite bzw. § 365(c) aller Vereinigten Staaten v. Gegenstand eines Jenicht in einer US Anmeklung in in einer zur Offenbarung Je Patentfähigkeit in Ei § 1.56 von Belang sm. der früheren Patentant	ermit die mir unter Title aller unten aufgeführten PCT internationalen An von Amerika benennen, unden früheren Anspruchs die Patentanmeldung, bzw. gemäß dem ersten Absatz ien Art und Weise offenbeiglicher Informationen an inklang mit Title 37, Code die und die im Zeitraum zw. meichung und dem national isammenarbeit auf dem G	US-Patentanmeldu imeldungen, welch nd erkenne, insofer dieser Patentanmeld. PCT internation von Title 35, US-C art wurde, meine P n, die zur Prüfun e of Federal Regulat ischen dem Anmelden oder im Rahmei Gebiet des Patentw

(Application No.) (Filing Date)
(Aktenzeichen) (Anmeldetag)

(Application No.) (Filing Date)
(Aktenzeichen) (Anmeldetag)

Ich erkläre hiermit, daß alle in der vorliegenden Erklärung von mir gemachten Angaben nach bestern Wissen und Gewissen der Wahrheit entsprechen, und ferner daß ich diese eidesstattliche Erklärung in Kenntnis dessen ablege, daß wissentlich und vorsätzlich falsche Angaben oder dergleichen gemäß § 1001, Title 18 des US-Code strafbar sind und mit Geldstrafe und/oder Gefängnis bestraft werden können und daß derartige wissentlich und vorsätzlich falsche Angaben die Rechtswirksamkeit der vorliegenden Patentanmeldung oder eines aufgrund deren erteilten Patentes gefährden können.

I hereby claim foreign priority under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed
Priorität nicht beansprucht

(Day/Month/Year Filed)
(Tag/Monat/Jahr der Anmeldung)

(Day/Month/Year Filed)
(Tag/Monat/Jahr der Anmeldung)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s)listed below.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Pending
(Status) (patented, pending, abandoned)
(Status) (patentiert, schwebend, aufgegeben)

(Status) (patented, pending, abandoned) (Status) (patentiert, schwebend, aufgegeben)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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. German Langu	age Declaration
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Postanschrift:	Dell Bavid Me Reg. No. 42,044 Send Correspondence to: Warren B. Kice, Haynes and Boone, LLP
Telefonische Auskünfte: (Name und Telefonnummer)	901 Main Street, Suite 310 Direct Telephone Calls to: (name and telephone number)Dallas Warren B. Kice 214-651-5634 75202-37
Vor- und Zuname des einzigen oder ersten Erfinders	Full name of sole or first inventor Hassan Jomaa
Unterschrift des Erfinders Datum	Inventor's signature Date 28/02/07
Wohnsitz	Residence Breslauer Strasse 24 D-35398 GieBen, Germany
Staatsangehörigkeit	Citizenship Germany
Postanschrift	Post Office Address Breslauer Stresse 24 D-35398 Gießen, Germany
	Assam agei
Vor- und Zuname des zweiten Miterfinders (falls zutreffend)	Full name of second joint inventor, if any
Unterschrift des zweiten Erfinders Datum	Second Inventor's signature Date
Wohnsitz	Residence
Staatsangehörigkeit .	Citizenship
Postanschrift	Post Office Address

(Im Falle dritter und weiterer Miterfinder sind die entsprechenden Informationen und Unterschriften hinzuzufügen.)

(Supply similar information and signature for third and subsequent joint inventors.)